



## Department of Energy

Washington, DC 20585

FEB 14 2003

### MEMORANDUM FOR DISTRIBUTION

FROM: ROBERT G. CARD   
UNDER SECRETARY FOR ENERGY, SCIENCE  
AND ENVIRONMENT

SUBJECT: Performance Based Contracts: Order Review  
Panel Decisions On Team Report Recommendations

As you know, the Performance Based Contracts Order Review encompassed a review of DOE Orders having applicability to major site and facility management contracts to determine whether opportunities exist to further reduce the level of government "process" direction in performance-based contracts.

For each Order, a team comprising representatives of the Order Originating Office, affected Program Offices, and the Office of General Counsel or the Office of Procurement and Assistance Management attempted to identify requirements, standards, and process approaches that are unnecessary, inappropriate, duplicative, outdated, overly prescriptive or proscriptive or otherwise inconsistent with Government-wide contracting concepts. Each team submitted a report to the DOE Order Review Panel (comprising the Under Secretary for National Nuclear Security, the Under Secretary for Energy, Science and Environment, the General Counsel, and the Director, Office of Management, Budget And Evaluation/Chief Financial Officer) with recommendations to retain, modify, or eliminate the Order's direction to contractors.

This memorandum forwards to you, as an Order Originating Office, the DOE Order Review Panel's decisions regarding the team report recommendations for the Orders under your cognizance. The team reports and our disposition of their recommendations are attached.

Implementation is your responsibility and should be accomplished within 6 months. For each of your Orders where our disposition requires action, please submit an action plan and action officer's name to us through Mr. Stephen M. Smith, Director, Office of Management Communications (ME-43), within one week of the date of this memorandum.

Thank you for your assistance in this project. Please contact Mr. Michael Righi at 586-8175 if you have any questions.

**Attachment**



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Assistant Deputy Administrator for Military Application  
and Stockpile Operations (NNSA)  
Departmental Representative to the Defense Nuclear Facilities Safety Board  
Director, Office of Independent Oversight and Performance Assurance  
Assistant Secretary, Office of Policy and International Affairs  
Director, Office of Economic Impact and Diversity  
Director, Office of Engineering and Construction Management  
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